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SUBJECT: FRANCE SUPPORTIVE ON ADDITIONAL GENEVA PROTOCOL,
DESPITE FLAWS

REF: STATE 206948

Classified By: Political Minister Counselor Josiah B. Rosenblatt. Reas
ons 1.4b,d

1. (C) Poloff met November 21 with MFA DAS-Equivalent Beatrice Le Fraper du Hellen to encourage more vocal French engagement on behalf of the draft Third Additional Protocol, particularly with Francophone African states. Le Fraper responded that France had been working closely with the Swiss in support of the 5-6 December 2005 conference. Moreover, to facilitate swift adoption of the protocol, France had stifled its own legal objections to Article 5 of the draft, which authorizes persons participating "in operations under the auspices of the UN" to wear "distinctive symbols."

2. (C) Sonia Dona Perez, IO Desk Officer for Social and Labor Issues, explained that Quai d'Orsay lawyers objected to the imprecision of Article 5 as now drafted. The language on participating in "operations under the auspices of the UN" was vague and open to interpretation. Additionally, the authorization of "distinctive symbols" opened the door for states to adopt a wide range of religious paraphernalia within these operations. France instead preferred a direct reference to use of a neutral red diamond emblem, an option discounted during the 2000 negotiations. Should the draft be reopened, Le Fraper alerted poloff that MFA lawyers would again advance these objections.

3. (C) Etienne Chapon, "Israel/Peace Process" MFA Desk Officer, asked, with regard to Magen David Adom (MDA) activities, whether the Government of Israel and the Palestinian Authority had reached an accord on services for East Jerusalem. Le Fraper chimed in to ask USG views about reported disagreements between MDA and the Government of Israel. Le Fraper declined to predict passage of the draft Third Additional Protocol, stating developments on the ground could yet have a decisive impact.

Guantanamo

4. (C) Turning to Guantanamo, Le Fraper asked, "as a good European," whether the USG would try to resolve the deadlock with the UN over the proposed visits by human rights monitors. Le Fraper said that the anticipated visits had provided necessary cover for the EU to turn back more virulent criticisms in Geneva.

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Stapleton